

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
DANIEL ASIAMA,)	Case No. 15-11009-BFK
)	Chapter 13
Debtor.)	

ORDER

This matter came before the Court for a trial on the merits on August 21, 2015, on the Court's Order to Show Cause why Sara Banks should not be held in contempt for allegedly violating the automatic stay. Docket No. 27. The Court has entered Findings of Fact and Conclusions of Law with respect to the Show Cause Order. Docket No. 54. For the reasons stated in the Court's Findings of Fact and Conclusions of Law, it is

ORDERED:

1. Judgment in favor of the Debtor and against Ms. Banks is granted, in the following amounts:

(i)	Time Spent in Fairfax ADC	\$4,000.00
(ii)	Debtor's Lost Wages	626.00
(iii)	Debtor's Medical Expenses	1,980.32
(iv)	Ms. Asiama's Lost Wages	1,560.00
(v)	Associated Costs	980.00
(vi)	IC Solutions Charge	53.00
(vii)	Finance Charges (NWFCU)	3,151.07
(viii)	Legal Fees and Costs	15,408.50
	TOTAL	\$27,758.89

2. Ms. Banks will be prohibited from using the Land Rover debt as a setoff during the pendency of the Debtor's Chapter 13 case. In the event that the Debtor receives a discharge in his Chapter 13 case, the Land Rover debt will be discharged and Ms. Banks will be prohibited from using the Land Rover debt as a setoff. However, if the Debtor's Chapter 13 case is dismissed without a discharge, then Ms. Banks will be entitled to use the Land Rover debt as a setoff in whole or in part, or alternatively, if the Debtor's Chapter 13 case is dismissed without a discharge and she has paid the sanctions awarded herein, Ms. Banks will be entitled to collect on the Land Rover debt in accordance with State law.

3. The Debtor will be entitled to use the amounts awarded herein as a setoff against any claims brought against him by Ms. Banks, excluding child support, whether or not he receives a discharge in this case.

4. Ms. Banks is advised that she will have 14 days from the entry of this Order to appeal, by filing a Notice of Appeal with the Clerk of the Bankruptcy Court.

5. The Clerk will mail copies of this Order, or provide electronic notice of its entry, the parties below.

Date: Oct 22 2015

Alexandria, Virginia

/s/ Brian F. Kenney

Brian F. Kenney
United States Bankruptcy Judge

eod 10/22/2015 sas

Copies to:

Daniel Asiama
21470 Welby Terrace
Ashburn, VA 20148
Chapter 13 Debtor

Nathan A. Fisher, Esquire
3977 Chain Bridge Road, #2
Fairfax, VA 22030
Counsel for Chapter 13 Debtor

Richard G. Hall, Esquire
7369 McWhorter Place
Suite 412
Annandale, VA 22003
Counsel for Chapter 13 Debtor

Sara Banks
21672 Frame Square
Ashburn, VA 20148

Thomas P. Gorman, Esquire
300 N. Washington St. Ste. 400
Alexandria, VA 22314
Chapter 13 Trustee